

**FRIEDMAN, JAMES & BUCHSBAUM LLP**

Attorneys for Plaintiff  
15 Maiden Lane, Suite 1202  
New York, NY 10038  
(212) 233-9385  
[bfriedman@friedmanjames.com](mailto:bfriedman@friedmanjames.com)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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CARLOS E. JUARBE, JR.,

Plaintiff,

-against-

CITY OF NEW YORK,

Defendant.

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Civil Action: 22 cv-5413

**PLAINTIFF DEMANDS  
A TRIAL BY JURY**

**COMPLAINT**

**SEAMAN'S CASE UNDER  
THE JONES ACT FOR  
PERSONAL INJURIES**

**SUITS UNDER SPECIAL RULE FOR SEAMEN TO  
SUE WITHOUT SECURITY OR PREPAYMENT OF  
FEES FOR THE ENFORCEMENT OF THE LAWS  
OF THE UNITED STATES, COMMON AND STAT-  
UTORY FOR THE PROTECTION OF AND FOR  
THE HEALTH AND SAFETY OF SEAMEN AT SEA**

Plaintiff, CARLOS E. JUARBE, JR., complaining of defendant, CITY OF NEW YORK, by his attorneys FRIEDMAN, JAMES & BUCHSBAUM LLP, respectfully alleges as follows:

**FIRST COUNT**

1. Upon information and belief, at all times hereinafter mentioned, defendant, CITY OF NEW YORK, was a municipal corporation with offices within the State of New York and City of New York.

2. At all times and dates hereinafter mentioned, defendant, CITY OF NEW YORK, owned the F/B JOHN J. MARCHI.

3. At all times hereinafter mentioned, defendant, CITY OF NEW YORK, operated the F/B JOHN J. MARCHI.

4. At all the times and dates hereinafter mentioned, defendant, CITY OF NEW YORK, controlled the F/B JOHN J. MARCHI.

5. At all times and dates hereinafter mentioned, plaintiff was a member of the crew of the F/B JOHN J. MARCHI and an employee of the defendant.

6. That on or about May 12, 2021, without any fault on the part of the plaintiff, and wholly and solely by reason of the negligence, recklessness and carelessness of defendant, CITY OF NEW YORK, its agents, servants and/or employees, and by reason of the unseaworthiness the F/B JOHN J. MARCHI, plaintiff sustained injuries to his left shoulder, left elbow, and left arm while attempting to close a jammed door on the vessel.

7. As a result of the foregoing, plaintiff was rendered sick, sore, lame and disabled and sustained severe permanent personal injuries, was and is internally and externally disabled causing him to suffer pain, and for a time he was prevented from attending to his daily labors, thereby losing sums of money which he otherwise would have earned as wages, and has

endeavored to be cured of his injuries, and has expended sums of money to maintain himself, and will continue to endure pain and suffering, all to his damage.

8. By reason of the foregoing, plaintiff has been damaged in the sum of SEVEN HUNDRED FIFTY THOUSAND (\$750,000.00) DOLLARS.

**SECOND COUNT**

9. Plaintiff repeats and realleges each and every allegation of the First Count in this Complaint as if fully set forth at length herein.

10. Plaintiff is entitled to maintenance, cure, and medical expenses for the period that he was disabled and unable to work in the total sum of FIFTY THOUSAND (\$50,000.00) DOLLARS.

**WHEREFORE**, plaintiff, CARLOS E. JUARBE, JR., demands judgment against defendant, CITY OF NEW YORK, in the First Count in the sum of SEVEN HUNDRED FIFTY THOUSAND (\$750,000.00) DOLLARS; and in the Second Count in the sum of FIFTY THOUSAND (\$50,000.00) DOLLARS; together with interest and costs.

Dated: New York, New York  
June 27, 2022

**FRIEDMAN, JAMES & BUCHSBAUM LLP**  
Attorneys for Plaintiff

By: */S/ Bernard D. Friedman*

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Bernard D. Friedman  
15 Maiden Lane, Suite 1202  
New York, NY 10038  
(212) 233-9385  
[bfriedman@friedmanjames.com](mailto:bfriedman@friedmanjames.com)